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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
MORAN, RANDAL D				
ART UNIT		PAPER NUMBER		
2435				
NOTIFICATION DATE		DELIVERY MODE		
01/09/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/803,896

Applicant(s)

EBATU, JUN

Examiner

RANDAL D. MORAN

Art Unit

2435

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 and 24-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 and 24-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claims 1-22, 24-32 are pending.

Below, Examiner has pointed out particular references contained in the prior art(s) of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claims, other passages and figures may apply as well. Applicant should consider the entire prior art as applicable as to the limitations of the claims. It is respectfully requested from the applicant, in preparing the response, to consider fully each reference in its entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/06/2008 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-19, 24, 25, 27-32 are rejected under 35 U.S.C. 102(b) as being anticipated by **Gennaro et al. (US 6,317,834)**, hereafter “Gennaro”.

Considering **Claims 1, 7 and 10**, Gennaro discloses an information providing device (abstract) comprising: a provider association unit making a plurality of information providers (Fig. 4B- item 28, item 30, item 32), including first and second information providers (Fig. 4B- item 30 and item 32), be associated with each other (Fig. 4B- item 42), the plurality of information providers providing respective user information items (column 7- lines 16-39), the provider association unit comprising: a first unit causing the first information provider to receive a first user information item (Fig. 6- item 74, item 82, column 8- lines 9-24), stored in a first information management unit (Fig. 4A, column 6- lines 4-8), in response to a user information receiving request (column 7- lines 8-9); a second unit causing the second information provider to receive a second user information item (Fig. 6- item 90, column 7- lines 34-37), correlated with the first user information item and stored in a second information management unit (Fig. 3, column 5- lines 46-54), in response to a predetermined identification data (column 8- lines 24-32); and a third unit configured to generate an authentication ticket including data indicating at least one of an authentication provider name, a term of validity of the ticket, an authentication domain name, and user attributes by combining the first user information item and the second user information item based on the predetermined identification data (column 8- lines 37-47, the

statistical equivalence is deemed valid if it exceeds a certain threshold), an interface configured to transmit the authentication ticket to a computer remote from the information providing device via a network (Fig. 9- item 866, column 11- lines 44-52, an acknowledgement including a “fail” or “success” is needed to inform a user of his authorization to the database).

Considering **Claims 12, 24, 25, 27, and 31**, Gennaro discloses a user authentication device (abstract) comprising: a provider association unit which makes a plurality of authentication providers (Fig. 4B- item 28, item 30, item 32), including first and second authentication providers (Fig. 4B- item 30 and item 32), be associated with each other (Fig. 4B- item 42), the provider association unit comprising: a first unit causing the first authentication provider to perform, in response to a first authentication request, a first user authentication based on a first user identification data that is specified in the first authentication request (column 8- lines 9-32, Fig. 6); and a second unit causing the second authentication provider to perform, in response to a second authentication request related to a user approved by the first user authentication, a second user authentication based on a second user identification data that is correlated with the first user identification data (column 8- lines 32-47, Fig. 6).

Considering **Claims 2, 8, and 11**, Gennaro discloses the user information receiving request contains retrieval conditions specified therein, and the provider association unit causes the first and second information providers to respectively receive the first and second user information items that satisfy the retrieval conditions (Gennaro-Fig. 4B, column 7- lines 8-21).

Considering **Claims 3 and 9**, Gennaro discloses the provider association unit is provided to unify the information items received by the first and second information providers for every user (Gennaro-column 8- lines 37-47, Fig. 4B- item 42).

Considering **Claims 4 and 13**, Gennaro discloses the user authentication device further comprises the first authentication provider and the second authentication provider (Gennaro-Fig. 3, Fig 4B).

Considering **Claims 5, 16, and 29**, Gennaro discloses the user authentication device further comprises: a first-authentication-provider information management unit managing a first-authentication-provider identification data which identifies the first authentication provider from among the plurality of authentication providers (Gennaro-Fig. 3- item 330, column 7- lines 7-12); and a second-authentication-provider information management unit managing a second-authentication-provider identification data which identifies the second authentication provider from among the plurality of authentication providers (Gennaro-Fig. 3- item 330, column 7- lines 35-45).

Considering **Claims 6, 17, and 30**, Gennaro discloses the user authentication device further comprises a call information management unit in which a plurality of call information items used to call the plurality of authentication providers respectively are recorded (Gennaro-Fig. 3- item 340), and the provider association unit causes the first and second authentication providers to perform the first and second user authentications respectively by calling the first and second authentication providers based on the call information management unit (Gennaro-column 5- lines 17-38).

Considering **Claims 14, 15, 28, and 32**, Gennaro discloses the provider association unit further comprises a user-identification management unit in which the

first user identification data and the second user identification data are correlated to each other and recorded (Gennaro-Fig. 3- item 330), and the provider association unit is provided to search for the second user identification data in the user-identification management unit based on the first user identification data (Gennaro-column 5- lines 17-23, column 7- lines 7-21).

Considering **Claim 18**, Gennaro discloses the first authentication provider creates a first electronic ticket which certifies approval of the user by the first authentication provider (Gennaro-column 7- lines 17-37), the second authentication provider creates a second electronic ticket which certifies approval of the user by the second authentication provider (Gennaro-column 7- lines 37-50), and the user authentication device provides information containing the first electronic ticket (Gennaro-column 7- lines 17-37), in response to the first authentication request and provides information containing the second electronic ticket, in response to the second authentication request (Gennaro-column 7- lines 37-50).

Considering **Claim 19**, Gennaro discloses the provider association unit creates a merge ticket in which the first electronic ticket and the second electronic ticket are unified (Gennaro- Fig. 6- item 92 and item 94), and the user authentication device provides a first merge ticket in which the first electronic ticket is unified (Gennaro-Fig. 6- item 84), in response to the first authentication request (Gennaro-Fig. 6- item 82), and provides a second merge ticket in which the second electronic ticket is unified further (Gennaro-Fig. 6- item 92), in response to the second authentication request (Gennaro-Fig. 6- item 90).

2. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Gennaro** in view of **Wheeler (US 2002/0026575)**, hereafter “Wheeler”.

Considering **Claims 20-22**, Gennaro does not explicitly disclose the user authentication device provides the merge ticket which is encoded, contains a term of validity, contains a code for ticket falsification check.

Wheeler discloses the user authentication device provides the merge ticket which is encoded (Wheeler- [0004]), contains a term of validity (Wheeler- [0007]- expiration date, contains a code for ticket falsification check (Wheeler- [0007]- serial number).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Gennaro the user authentication device provides the merge ticket which is encoded, contains a term of validity, contains a code for ticket falsification check as taught by Wheeler for the benefit of increasing the strength of authentication based upon the specific resource being protected. For example, if the resource is a parking deck, only a minimal level of entity authentication is necessary; if the resource is a corporate checking account, stronger entity authentication is likely required; if the resource is the control system for launching nuclear warheads, even stronger entity authentication is required (Wheeler- [0161]).

3. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Gennaro**.

Considering **Claim 26**, Gennaro does not explicitly disclose the provider association unit is provided with a call function using a remote procedure call of SOAP. Gennaro is silent on an exact protocol used to generate call function. SOAP is a widely recognized protocol for exchanging messages over multiple computers. Therefore, it

would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Gennaro to provide remote procedure calls using SOAP as was widely known in the art for the benefit of facilitating communication between computers while allowing the use of multiple transport protocols such as HTTP, TCP, and SNMP.

Response to Arguments

Applicant's arguments filed 10/06/2008 have been fully considered but they are not persuasive.

Regarding **Claim 1**, applicant's arguments have been fully considered but are not persuasive. With respect to applicant's arguments that Gennaro fails to teach *generate an authentication ticket including data indicating at least one of an authentication provider name, a term of validity of the ticket, an authentication domain name, and user attributes by combining the first user information item and the second user information item based on the predetermined identification data*, applicant is directed to Gennaro - column 8- lines 37-47, the statistical equivalence is deemed valid if it exceeds a certain threshold. Gennaro discloses:

"the system will attempt to match the provided identifier with personal identifiers stored as part of each biometric record. Step 78 is a decision step to determine whether biometric record was found with a matching personal identifier. If not, the authorization session terminates at step 79 where the individual cannot be verified and his authorization status is declared as "failed". Otherwise, if a matching biometric record is found, the encrypted biometric model, $E_{sub.k}(T)$, will be retrieved. At step 82, an individual is further prompted by the system to provide a password (P'). At step 84, the system will create a decryption key (k') from the password (P'). At step 86, the decryption key (k') is used in conjunction with a standard decryption algorithm to attempt to decrypt the retrieved biometric record. Step 88 is a decision step to determine whether the decryption was successful...At step 90, the individual is further prompted to provide a current biometric sample (S'). The sample type must

correspond to the sample provided at enrollment. At step 92, the provided sample is compared with the decrypted biometric model (T) for statistical equivalence. A statistical equivalence score is generated from the comparison. The lower the computed score the higher the statistical equivalence. Step 93 is a decision step to determine if the computed score is acceptable.”

Therefore, Gennaro at least teaches the generation of an authentication ticket (i.e. a score used to determine authentication) including at least one of a term of validity of the ticket (i.e. if the score exceeds a certain threshold, the ticket is valid) by combining the first user information and the second user information (i.e. password and biometric record).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randal D. Moran whose telephone number is 571-270-1255. The examiner can normally be reached on M-F: 7:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. D. M./
Examiner, Art Unit 2435
12/30/2008

/KimYen Vu/
Supervisory Patent Examiner, Art Unit 2435